

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yinghui Dan *et al.*

Serial No.: 10/715,910

Filed: November 18, 2003

For: USE OF LIPOIC ACID IN PLANT
CULTURE MEDIA

Group Art Unit: 1638

Examiner: Anne R. Kubelik

Atty. Dkt. No.: MONS:146US

Confirmation No.: 5658

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner:

This paper is submitted in response to the Restriction Requirement mailed on June 30, 2010, for which the date for response is July 30, 2010. In response to the restriction which the Examiner imposed Applicants elect, with traverse, to prosecute Group IV (e.g., claims 15 and 22 and claim 18, in part).

The traversal is on the basis that, although Groups I-V are patentably distinct, there would be no undue burden in examining all of these groups together. Specifically, the restricted claim groupings each refer back to claim 1 and incorporate the limitations of that claim by reference. Therefore, given the similar search terms needed to conduct a search of this subject matter, there would be no undue burden in examining each of the groups together.

M.P.E.P. §803 states that “[i]f the search and examination of all the claims in an application can be made without serious burden, the examiner *must* examine them on the merits,

even though they include claims to independent or distinct inventions.” (emphasis added). Here, given the information provided above, a search and examination of groups I-V together would not cause a serious examination burden. Examination of each of groups I-V is thus respectfully requested.

It is believed that no fees are due in connection with this paper; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct said fees from Sonnenschein Nath & Rosenthal LLP Deposit Account No. 19-3140/MONS:146US.

The Examiner is invited to contact the undersigned at (214) 259-0931 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

/Robert E. Hanson/

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